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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,580	09/15/2000	Douglas N. Knisely	7-4-28	2012

22046 7590 12/22/2005

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EXAMINER
KLIMACH, PAULA W

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/662,580	KNISELY ET AL.	
	Examiner	Art Unit	
	Paula W. Klimach	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 October 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *29 and 30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *29-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 07/28/05. The amendment filed on 07/28/05 have been entered and made of record. Therefore, presently pending claims are 29-30.

Response to Arguments

Applicant's arguments filed 07/28/05 have been fully considered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marvit (6,625,734) in view of Burrows et al and further in view of the book by Stallings (Cryptography and Network Security).

In reference to claim 29, Marvit discloses a system for authentication (authentication) comprising a system wherein via wireless communications (column 4 lines 18-19) with a base station A (102) belonging to a network A (Fig. 1), transacting with network A to obtain an encryption key K known only to network A and to the mobile station (column 4 lines 38-47).

Although Marvit discloses encryption using the key received from the repository, Marvit does not expressly disclose communications with base station A which are secured by key K,

obtaining an authentication key SSD known only to network A, to the mobile station, and to a further network B; sending an authentication message to network A to be forwarded to network B, the authentication message comprising an identification number encrypted with SSD; and if the authentication message is accepted by network B, entering into wireless communications with a base station of network B.

Burrows discloses systems for authentication wherein communications with mobile station (A) that communicates with network A (made up of the nodes A and S) which are secured by key K (Kas; page 18 message 2 paragraph 2), obtaining an authentication key SSD (Kab) known only to network A, to the mobile station, and to a further network B (page 18 messages 2 and 3 paragraph 2); sending an authentication message to network A to be forwarded to network B, the authentication message comprising an identification number encrypted with SSD; and if the authentication message is accepted by network B, entering into wireless communications with a base station of network B (page 18 messages 4 and 5 in combination with page 25 section 7).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to encrypt the message using a key known to A and S; and to forward the messages through S as in Burrow in the system of Marvit. One of ordinary skill in the art would have been motivated to do this because using a key that is known only to S and A will discourage eavesdropping and forwarding the message through S allows A and B to check their timestamp against one system, S.

Marvit and Burrow do not disclose sending the ID of the device that is seeking authentication (mobile station).

The system disclosed by Stallings discloses a Initiator A that sends their ID to the responder B. The system B authenticates the Initiator A and when it is authenticated then they begin to communicate.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to send the Initiators ID as in the system disclosed by Stallings in the authentication process disclosed by Marvit and Burrow. One of ordinary skill in the art would have been motivated to do this because the ID is used to identify the device requiring authentication and therefore the capabilities of the device.

In reference to claim 30, Marvit discloses a system for authentication (authentication) comprising a system wherein via wireless communications (column 4 lines 18-19) with a base station A (102) belonging to a network A (Fig. 1), transacting with network A to obtain an encryption key K known only to network A and to the mobile station (column 4 lines 38-47).

Although Marvit discloses encryption using the key received from the repository, Marvit does not expressly disclose receiving an authentication key SSD from a further network B and providing SSD to the mobile station using communications which are secured by key K; receiving from the mobile station an authentication message which comprises an identification number encrypted with SSD; and forwarding the authentication message to network B.

Burrow discloses receiving an authentication key SSD from a further network B (page 25 message 1, section 7) and providing SSD (Kab) to the mobile station (page 25 message 2, section 7) using communications which are secured by key Kas (page 25 message 2 paragraph 2); receiving from the mobile station, via wireless communications, an authentication message

which comprises an identification number encrypted with SSD; and forwarding the authentication message to network B (page 18 messages 2 in combination with paragraph 2).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to encrypt the message using a key known to A and S; and to forward the messages through S as in Burrow in the system of Marvit. One of ordinary skill in the art would have been motivated to do this because using a key that is known only to S and A will discourage eavesdropping and forwarding the message through S allows A and B to check their timestamp against one system, S.

Marvit and Burrow do not disclose sending the ID of the device that is seeking authentication (mobile station).

The system disclosed by Stallings discloses a Initiator A that sends their ID to the responder B. The system B authenticates the Initiator A and when it is authenticated then they begin to communicate.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to send the Initiators ID as in the system disclosed by Stallings in the authentication process disclosed by Marvit and Burrow. One of ordinary skill in the art would have been motivated to do this because the ID is used to identify the device requiring authentication and therefore the capabilities of the device.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula W. Klimach whose telephone number is (571) 272-3854. The examiner can normally be reached on Mon to Thr 9:30 a.m to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PWK
Thursday, December 15, 2005

Supervisory Patent Examiner
KIM YEN VU
AU2135